

Community of Miltonvale Park Regular Council Meeting Minutes

Community Office – Winsloe Lions Hall 4:30 p.m. Tuesday, February 24, 2009

Present: Chair Brian Andrew, Councillors Joe Murphy, George Piercey, Sheila MacKinnon, Gail Ling (arrived 5:25), Administrator Shari MacDonald

Regrets: Councillor Betty Pryor

1. CALL TO ORDER

Chair Andrew called the meeting to order at 4:50 p.m.

2. PRESENTATION OF AGENDA – DECLARATION OF CONFLICT OF INTEREST

No conflict of interest issues were identified and the agenda was accepted.

3. APPROVAL OF MINUTES

Motion 09-08: Moved by Councillor Sheila MacKinnon, seconded by Councillor George Piercey that **the minutes of the January 27, 2009, Regular Council Meeting be approved as circulated.** Motion carried.

4. BUSINESS ARISING

- a. Community Pasture** – Council has not yet received the final rent payment for 2008, nor the first installment for 2009. Hyndman & Co. Insurance reviewed the rental contract from the province and noted the Province requires 60 days notice of cancellation (30 days is the industry standard). An additional condition requires the insurance of the lessee to be primary, which may not be reasonable depending on the type of loss suffered or if loss occurred because of negligence of the province. The contract stipulates no permanent buildings or structures on land; however, existing buildings are to be insured by a replacement cost insurance policy. It was suggested the replacement value of the pumphouse (which no longer contains a pump) would be \$1500. The insurance company also noted that it may not be reasonable for the community to waive and release the province from all claims, even if such loss is from the negligence or fault of the province. The Underwriting Department is reviewing the actual clauses the province wants added. The Insurance company also suggested that Council ensure that the contract with the farmer includes similar indemnity and insurance provisions and work with the farmer to develop a plan for crop rotation and need for erosion control and retain a copy of same on file.

- b. **Exercise Project** –There is \$143 remaining in the fund which will subsidize the next yoga classes beginning Wednesday, March 4th.

- c. **EMO** - Municipal EMO Coordinator Gary Robbins has not been in contact with the office. Councillor Murphy is interested in pursuing EMO training at the Canadian Emergency Management College. Costs involved would be minimal to the community, as it is believed that tuition and room and board are provided. Councillor Murphy was encouraged to investigate this further.

5. CORRESPONDENCE

Council reviewed the circulated list of correspondence received since the last meeting and acted on the following:

- a. **Insurance** - Hyndman & Company suggested Council give consideration to increasing the \$2,000,000 limit of liability for General, Errors and Omissions Liability and Non-Owned Automobile policies. Council discussed the issue, planned to check the coverage of the liability at the community park, but felt that for this year, the limit of liability would be left at the same level.

- b. **Request from resident** – Grade nine student Kelsie MacIntyre is traveling with her school in May 2009 to participate in a cultural exchange with Gable Hall School in Corringham, Essex, UK.

Motion 09-09: Moved by Councillor Joe Murphy, seconded by Councillor Sheila MacKinnon that, **in accordance with the Council's donation policy that \$25 be donated to support Kelsie MacIntyre to participate in the Queen Charlotte Intermediate School's exchange trip to the United Kingdom.** Motion carried.

6. COMMITTEE REPORTS

- a. **Finance** - The Finance Committee report was moved to later in the meeting, when Councillor Ling could be present.

- b. **Personnel** - No report for this meeting.

- c. **Planning Board**
 - a. **Re-zoning application** - In the absence of the Planning Board Chair, Councillor MacKinnon reported on the February 23, 2009 planning board meeting which discussed the re-zoning application for parcel 283085 from Rural Resource to Commercial. It was agreed by Planning Board to recommend to Council that Mr. O'Halloran's request be considered as part of the Official Plan process and that Mr. O'Halloran be advised of the public meetings so that he can

attend and provide input. It was also agreed to have Planner Phil Wood review the letter from Council to Mr. O'Halloran prior to it being send.

Motion 09-10: Moved by Councillor Sheila MacKinnon, seconded by Councillor George Piercey that **Council accept the recommendation of Planning Board regarding the application for re-zoning, and that a letter to this effect be sent to Mr. O'Halloran, after it has been reviewed by the Development Officer, the Planner, and Council.** Motion carried.

Councillor Ling arrived at 5:25.

- b. **Official Plan and Bylaws Update** – The first draft of the official plan was received by the Administrator on February 23 and circulated to planning board. Council will encourage Planning board to meet the first week of March to discuss the draft. Council plans to meet on March 10th at 4:30 to review the budget for the final time and to review the official plan. The first draft of the bylaws is expected within the week. Council hopes Planning Board will be in a position to take the draft documents to the residents before the Annual General Meeting on March 30.
- c. **Report of Permits Issued and Pending:** The circulated report noted one single family residential lot was subdivided from PID 914622 on the Colville Road and approved 04-Feb-09. One application for rezoning from Rural Resource to Commercial was received for a portion of PID 283085, and referred to the Planner and Planning Board, as noted previously. There has also been an application received for a two unit dwelling on the Rustico Road.

a. (from 6.a. above) Finance Committee

a. **Remittance** - Finance Chair Ling noted that the remittance had been paid to the Received General for January 2009.

b. **Reports and Payment of Accounts** –Finance Chair Ling noted the financial information for January had been circulated in the meeting packages.

Motion 09-11: Moved by Councillor Gail Ling, seconded by Councillor Sheila MacKinnon that **Council approve the adoption of the income statement and payment of accounts for January 2009.** Motion carried.

c. **Motion for Reserves** – Staff at Communities, Cultural Affairs and Labour have suggested Council may wish to designate some of the investments as a “reserve fund,” as allowed for, under the Municipalities Act.

Motion 09:12: Moved by Councillor Gail Ling, seconded by Councillor Sheila MacKinnon that **Council designate the following investments as “Reserve Fund”:** PEI wind energy bonds, TD term investment and Stella Maris Credit Union deposit receipts 307, 317, 327, 357,367, 377, and 387. **MOTION WITHDRAWN.**

More clarification will be sought regarding the potential flexibility, if any, of a reserve fund, and the issue will be addressed at the next meeting.

d. Water and Sewer

Waste Water and Water Sustainability Study Update

Consultant Kelly Galloway expects to have the study completed by the end of the first week of March, 2009. The consultant is in discussions with those responsible for public works at the correctional facility, the city and the province. Once the final report is received, Council needs to develop a plan to present to residents and become pro-active.

Councillor Murphy left the meeting at 6:03 p.m.

d. Parks and Recreation

Park Plan Update - Park Committee Chair, Councillor MacKinnon, noted that she, Councillor Murphy, and committee member Joanie MacKinnon had met earlier in the week to establish short-term and long-term steps to upgrade the park. They hope to purchase six picnic tables, and are investigating wooden play structures. There is approximately \$10,000 in the budget for park development. John Gallant has agreed to get several quotes for leveling and preparing the recreational soccer field, and will also help the committee find appropriate nets. The fence at the back of the park was felt to be suitable this year; however, bleaches and benches may need to be purchased. Trees were also felt to be necessary to increase the available shade. Once bylaw regulations permit, the committee plans to move the baby barn from its present site. Safety concerns, such as not using pressure treated wood and securely anchoring soccer nets, are also a priority. Council looks forward to regular progress reports on park improvements. Chair Andrew suggested the Eastern School District, and Municipalities of Charlottetown, Stratford and Cornwall be asked to share any guidelines they follow for their parks.

e. Report from Staff

i. Administrator - The administrator circulated a report highlighting her recent activities, which included arranging a returning officer

for the March 30 election, preparations for the audit and budget, and work for the official plan such as re-formatting of bylaws and calculating permits issued since incorporation. Minutes for several meetings were prepared, T-4s distributed, and the GST rebate claim was send. Upcoming tasks include completing funding applications for Canada Day and summer job positions and submitting the MRIF final claim for the park shelter. MLA Bush Dumville also wished to extend his greetings and an offer to provide assistance for any council activities whenever possible.

ii. Development Officer - Alfie Wakelin continues to work on an as-needed basis during the winter.

8. BUSINESS

a. Budget 2009 - Council will meet March 10th at 4:30 for a supper meeting to review the budget prior to its presentation to residents.

b. Annual General Meeting/By-election

i. Motion to Approve Returning Officer

Motion 09:13: Moved by Councillor Gail Ling, seconded by Councillor George Piercey that **Council appoint John Berry as returning officer for the March 30 (storm date- March 31) Special Election Meeting, at 7:30, prior to the Annual Meeting.** Motion carried.

ii. Packages/Reports – Reports are due to the office by March 16 for printing and distribution.

Motion 09:14: Moved by Councillor Gail Ling, seconded by Councillor George Piercey that **Annual Meeting reports be submitted to the office by March 16th and then printed at Staples for meeting packages.** Motion carried.

c. FPEIM Annual Meeting - Monday, April 27, Montague

i. Resolutions – During Official Plan meetings, it was suggested that a possible resolution for the FPEIM annual meeting could request that the responsibility for site assessments be returned to the control of provincial government employees, rather than licensed contractors. Councillor Piercey offered to investigate background information for a possible resolution, to be discussed at the March 10th meeting.

ii. Voting Delegates - for the FPEIM meeting can be determined at a meeting closer to the registration deadline.

9. NEXT MEETING DATE

The next council meeting will be Tuesday March 10, 2009 at 4:30 p.m.

10. ADJOURNMENT

Motion 09-15: Moved by Councillor George Piercey, seconded by Councillor Sheila MacKinnon **that the meeting be adjourned**. Chair Andrew declared the meeting adjourned at 6:30 p.m.

Brian Andrew

Shari MacDonald

Chair

Administrator

March 24, 2009

Date approved